

Case3:12-cv-02396-EMC Document62 Filed02/21/13 Page1 of 4

1 Brett L. Gibbs, Esq. (SBN 251000)
2 Of Counsel for Prenda Law Inc.
3 38 Miller Avenue, #263
4 Mill Valley, CA 94941
5 415-325-5900
6 blgibbs@wefightpiracy.com

7 *Attorney for Plaintiff*

8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 NORTHERN DISTRICT OF CALIFORNIA

10 AF HOLDINGS LLC,

11
12 Plaintiff,

13 v.

14 JOE NAVASCA,

15
16 Defendant.

No. 3:12-CV-02396-EMC

PLAINTIFF AF HOLDINGS LLC'S
MOTION TO VOLUNTARILY
DISMISS PURSUANT TO FEDERAL
RULE OF CIVIL PROCEDURE 41(a)(2)

17 Plaintiff AF Holdings LLC, by and through its undersigned counsel, respectfully files this
18 Motion to Voluntarily Dismiss the instant action *without prejudice* pursuant to Federal Rule of Civil
19 Procedure 41(a)(2). Under Rule 41(a)(2), "an action may be dismissed at the plaintiff's request only
20 by court order, on terms that the court considers proper." Fed. R. Civ. Proc. 41(a)(2). Plaintiff
21 attempted to stipulate to the dismissal of this action with opposing counsel, as contemplated by
22 Federal Rule of Civil Procedure 41(a)(1)(A)(ii), but this stipulation was not achieved. Rule 41(a)(2)
23 also provides that "unless the order states otherwise, a dismissal under this paragraph (2) is without
24 prejudice." *Id.*

25
26 Plaintiff moves the Court to grant a voluntary dismissal in light of the Court's recent order
27 requiring Plaintiff to post an undertaking of nearly \$50,000. As previously explained, neither
28

1 Plaintiff nor any copyright holder can afford to tie up nearly \$50,000 in capital simply in order to
2 proceed with its claims against a single infringer. Plaintiff's works are being infringed on a massive
3 scale by California-based infringers and Plaintiff has no realistic chance of ending this infringement
4 if its *de facto* filing fee is \$50,000. If federal courts possess the discretion to impose a \$50,000
5 undertaking in a routine digital infringement case, then Plaintiff believes that the rights afforded to it
6 under the Copyright Act, U.S. treaties, and the U.S. Constitution will cease to have any practical
7 significance. *See Metro-Goldwyn-Mayer Studios Inc. v. Grokster, Ltd.*, 545 US 913, 928-29 (2006)
8 (citing the concern that digital distribution of copyrighted material threatens copyright holders as
9 never before."). As the Court was informed during the briefing on the undertaking issue, another of
10 the Court's esteemed colleagues imposed an undertaking in a comparable case. *AF Holdings v.*
11 *Trinh*, No. 3:12-cv-02393-CRB (N.D. Cal. 2012). Plaintiff finds itself at the crossroads of seeking
12 appellate review of these decisions or simply accepting the notion that copyrights are unenforceable
13 in California.
14

15
16 While Plaintiff notes that the Court granted Plaintiff leave to file a Motion for
17 Reconsideration, Plaintiff recognizes that motions for reconsideration are rarely granted. Plaintiff's
18 resources are better directed at seeking clarification from the U.S. Court of Appeals for the Ninth
19 Circuit on the undertaking issue. Plaintiff acknowledges that the case law in the area is sparse and
20 that district courts have not been granted significant guidance by appellate courts. Plaintiff believes
21 that appellate review of a bellwether undertaking decision will provide copyright holders, alleged
22 infringers, and district courts in California with more clarity on the practical significance of the
23 Copyright Act, the U.S. Constitution and U.S. treaties.
24

25 Further, Plaintiff has complied with each of the Court's directives, expending arguably
26 unnecessary time and money to submit to a 30(b)(6) deposition despite the fact that the case is, for
27 all practical purposes, ended by the Court's undertaking decision. Plaintiff hopes that the absurd
28

1 arguments regarding its very existence, as well as regarding the assignment agreement in the instant
2 action, can finally be appropriately categorized in the Court's institutional memory.

3 As such, Plaintiff respectfully requests that the Court dismiss the instant action, without
4 prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(2) so that Plaintiff may seek to establish
5 circuit-wide case law regarding whether undertakings under § 1030 are appropriate in routine digital
6 infringement cases.
7

8
9 Respectfully Submitted,

10
11 By: /s/ Brett L. Gibbs, Esq.

12
13 Brett L. Gibbs, Esq. (SBN 251000)
14 Of Counsel to Prenda Law Inc.
15 38 Miller Avenue, #263
16 Mill Valley, CA 94941
17 415-325-5900
18 blgibbs@wefightpiracy.com
19 Attorney for Plaintiff
20
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22
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26
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28

Case3:12-cv-02396-EMC Document62 Filed02/21/13 Page4 of 4

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 21, 2013, all individuals of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document, and all attachments and related documents, using the Court's ECF system, in compliance with Local Rule 5-6 and General Order 45.

/s/ Brett L. Gibbs

Case3:12-cv-02396-EMC Document62-1 Filed02/21/13 Page1 of 1

1 Brett L. Gibbs, Esq. (SBN 251000)
2 Of Counsel for Prenda Law Inc.
3 38 Miller Avenue, #263
4 Mill Valley, CA 94941
5 415-325-5900
6 blgibbs@wefightpiracy.com
7 *Attorney for Plaintiff*

8
9
10 IN THE UNITED STATES DISTRICT COURT FOR THE
11
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 AF HOLDINGS LLC,

15 Plaintiff,

16 v.

17 JOE NAVASCA,

18 Defendant.

No. 3:12-cv-02396-EMC

[PROPOSED] ORDER GRANTING
PLAINTIFF AF HOLDINGS LLC'S
MOTION TO VOLUNTARILY
DISMISS PURSUANT TO FEDERAL
RULE OF CIVIL PROCEDURE 41(a)(2)

19 THIS CAUSE is before the Court upon Plaintiff's Motion to Voluntarily Dismiss the instant
20 action pursuant to Federal Rule of Civil Procedure 41(a)(2).

21 THIS COURT has reviewed Plaintiff's Motion, relevant case law, the pertinent portions of
22 the record, and is otherwise fully advised on the premise. Accordingly,

23 IT IS HEREBY ORDERED that Plaintiff's Motion to Voluntarily Dismiss the instant action
24 is GRANTED.

25 IT IS SO ORDERED.

26 Dated: _____

27 Hon. Edward M. Chen
28 United States District Judge

1 Brett L. Gibbs, Esq. (SBN 251000)
2 Of Counsel for Prenda Law Inc.
3 38 Miller Avenue, #263
4 Mill Valley, CA 94941
5 415-325-5900
6 blgibbs@wefightpiracy.com

7 *Attorney for Plaintiff*

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9
10 IN THE UNITED STATES DISTRICT COURT FOR THE
11
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 AF HOLDINGS LLC,

15 Plaintiff,

16 v.

17 JOE NAVASCA,

18 Defendant.

No. 3:12-cv-02396-EMC

[PROPOSED] ORDER GRANTING
PLAINTIFF AF HOLDINGS LLC'S
MOTION TO VOLUNTARILY
DISMISS PURSUANT TO FEDERAL
RULE OF CIVIL PROCEDURE 41(a)(2)

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20 action pursuant to Federal Rule of Civil Procedure 41(a)(2).

21 THIS COURT has reviewed Plaintiff's Motion, relevant case law, the pertinent portions of
22 the record, and is otherwise fully advised on the premise. Accordingly,

23 IT IS HEREBY ORDERED that Plaintiff's Motion to Voluntarily Dismiss the instant action
24 is GRANTED.

25 IT IS SO ORDERED.

26 Dated: _____

27 Hon. Edward M. Chen
28 United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS (PEORIA)**

AF HOLDINGS LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

CASE NO. 1:12-cv-01258

Judge: Hon. James E. Shadid

Magistrate Judge: Hon. John A. Gorman

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy

1:12-cv-01398-JES-JAG # 9 Page 1 of 2

E-FILED
Thursday, 14 March, 2013 11:36:21 AM
Clerk, U.S. District Court, ILCD

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS (PEORIA)**

AF HOLDINGS LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

CASE NO. 1:12-cv-01398

Judge: Hon. James E. Shadid

Magistrate Judge: Hon. John A. Gorman

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

1:12-cv-01398-JES-JAG # 9 Page 2 of 2

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy
Paul Duffy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

CARLOS MARTINEZ,

Defendant.

CASE NO. 1:12-cv-03567

Judge: Hon. Robert W. Gettleman

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

RICHARD TURNER,

Defendant.

CASE NO. 1:12-cv-03568

Judge: Hon. Thomas M. Durkin

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

MICHAEL FOOTE,

Defendant.

CASE NO. 1:12-cv-03570

Judge: Hon. Joan B. Gottschall

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AF HOLDINGS LLC,

Plaintiff,

v.

BOBBY RAMOS,

Defendant.

CASE NO.12- cv-4232

Judge: Hon. Robert W. Gettleman

AMENDED STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff, AF HOLDINGS, LLC and Defendant Bobby Ramos, by and through their undersigned attorneys, respectfully request that the Court dismiss all claims in this action with prejudice, and for all parties to pay their own court costs and attorney fees, pursuant to the parties' amicable resolution of the case.

DATED: March 14, 2013

PLAINTIFF AF HOLDINGS LLC

DEFENDANT BOBBY RAMOS

By: s/ Paul A. Duffy
Paul A. Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark St., Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

By: s/ James M. Chesloe
James Michael Chesloe
Attorney at Law
1030 South LaGrange Road, Suite 11
LaGrange, IL 60525
Phone 708/579-5353
E-mail jcheslaw@gmail.com
Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

KENNETH PAYNE,

Defendant.

CASE NO. 1:12-cv-04234

Judge: Hon. Gary Feinerman

Magistrate Judge: Hon. Jeffrey T. Gilbert

MOTION FOR VOLUNTARY DISMISSAL OF ACTION WITHOUT PREJUDICE

Plaintiff AF Holdings LLC ("Plaintiff"), through its undersigned counsel, hereby files this Motion for Voluntary Dismissal of Action Without Prejudice, states as follows:

1. Plaintiff filed this action on May 31, 2012 (ECF No. 1), the Court granted it leave to subpoena the internet service provider referenced in the Complaint before the Rule 26(f) conference (ECF No. 8), and Plaintiff amended its complaint to name the Defendant in August 2012 (ECF No. 12).
2. The Defendant answered the Complaint on October 17, 2012 (EC F NO. 16) and the Court entered a scheduling order on November 8, 2012. (ECF No. 18.)
3. Plaintiff wishes to dismiss this case, without prejudice. Although Defendant has filed an answer, Plaintiff has not heard from Defendant in any fashion since October 2012. Plaintiff respectfully requests that this Court allow Plaintiff to voluntarily dismiss all claims in this action, without prejudice. Defendant has not filed a counterclaim, and granting this Motion will not cause any prejudice to Defendant.

WHEREFORE, Plaintiff respectfully requests that this Court grant this Motion, enter an order dismissing this case without prejudice, and granting any and all further relief that this Court deems to be reasonable and appropriate under the circumstances.

Respectfully submitted,

AF Holdings LLC,

DATED: March 19, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark St., Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 19, 2013, all individuals of record who are deemed to have consented to electronic service are being served true and correct copy of the foregoing documents, and all attachments and related documents, using the Court's ECF system.

By: /s/ Paul Duffy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

DANIEL LEVINE,

Defendant.

CASE NO. 1:12-cv-04235

Judge: Hon. Matthew F. Kennelly

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

CASE NO. 1:12-cv-04237

Judge: Hon. James B. Zagel

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy

Case: 1:12-cv-04239 Document #: 12 Filed: 03/14/13 Page 1 of 2 PageID #:94

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AF HOLDINGS LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

CASE NO. 1:12-cv-04239

Judge: Hon. Matthew Kennelly

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

Case: 1:12-cv-04239 Document #: 12 Filed: 03/14/13 Page 2 of 2 PageID #:95

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

CASE NO. 1:12-cv-04244

Judge: Hon. Milton I. Shadur

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

JOHN MAHER,

Defendant.

CASE NO. 1:12-cv-05075

Judge: Hon. Edmond E. Chang

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

PERRY MILOGLOU,

Defendant.

CASE NO. 1:12-cv-05077

Judge: Hon. Judge Joan Humphrey Lefkow

Magistrate Judge: Hon. Arlander Keys

PLAINTIFF'S NOTICE OF DISMISSAL OF ACTION

Plaintiff AF Holdings LLC, pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby dismisses without prejudice all causes of action in the complaint against Defendant Perry Miloglou. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF Holdings LLC,

DATED: March 28, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark St., Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 28, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system.

/s/ Paul A. Duffy
Paul A. Duffy, Esq.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AF HOLDINGS LLC,

Plaintiff,

v.

JOHN DOE,

Defendant.

CASE NO. 1:12-cv-08030

Judge: Hon. John J. Tharp, Jr.

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

NOTICE IS HEREBY GIVEN that, pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, all claims brought in this action. Defendant has filed neither an answer to the complaint nor a motion for summary judgment with respect to the same. Dismissal under Rule 41(a)(1) is therefore appropriate.

Respectfully submitted,

AF HOLDINGS, LLC

DATED: March 14, 2013

By: /s/ Paul Duffy
Paul Duffy (Bar No. 6210496)
Prenda Law Inc.
161 N. Clark Street, Suite 3200
Chicago, IL 60601
Phone: 312-880-9160
Fax: 312-893-5677
E-mail: paduffy@wefightpiracy.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 14, 2013, all counsel of record who are deemed to have consented to electronic service are being served a true and correct copy of the foregoing document using the Court's CM/ECF system, in compliance with Local Rule 5.2(a).

/s/ Paul Duffy

Paul Duffy